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I. Introduction

1. The common core document is an integral part of the reports submitted by the Government of the Republic of Cyprus to the United Nations Human Rights Treaties Bodies, in fulfilling its reporting obligations as State Party to the International Human Rights Treaties.

2. The present common core document revises the previous documents submitted by the Government of the Republic of Cyprus and is drafted according to the revised United Nations Guidelines. (HRI/GEN/2/Rev.6).

3. It contains general factual and statistical information relevant to assist the United Nations Human Rights Committees in understanding the political, legal, social, economic and cultural context in which human rights are implemented in Cyprus.

4. All statistical information contained in this common core document (in tables or in other forms) have been provided by the Statistical Service and the competent Ministries of the Republic of Cyprus.

5. Due to the continued illegal occupation of 36.2% of the territory of the Republic of Cyprus by Turkish military forces since 1974, the Government does not exercise effective control over all of its national territory. Consequently, all information and data included in the present common core document concern the Government-controlled areas.

6. The revised common core document has been prepared under the coordination of the Ministry of Foreign Affairs and in cooperation with other Ministries, Departments and Services of the Government as well as with Independent Institutions of Cyprus.

II. General information

A. Demographic, economic, social and cultural characteristics

7. Cyprus is the third largest island in the Mediterranean Sea with an area of 9251 sq. km. 33° east of Greenwich and 35° north of the Equator.

8. It is situated in the northeastern Mediterranean, approximately 360 km east of Greece, 300 km north of Egypt, 105 km west of Syria and 75 km south of Turkey.

9. Cyprus has mainly mountainous terrain, with the Pentadaktylos mountain range in the north and the Troodos mountain range in the south-west. Cyprus' highest peak is Mount Olympus (at 1952 m) in the Troodos range. The largest plain, Mesaoria, is situated in between the two ranges.

10. The climate is Mediterranean (temperate). Hot and dry summers from mid-May to mid-October and mild, rainy, rather changeable, winters from November to mid-March are separated by short autumn and spring seasons of rapid change in weather conditions. Two-thirds of the average annual rainfall of 503 mm (period 1961–90) occurs between December and February. The lowest mean annual precipitation for Cyprus was 213 mm in 1972–73 and the highest was 800 mm in 1968–69. Periodically, the country suffers from drought.

1. Historical background

11. Cyprus' history spans nine millennia. In the second millennium B.C., the Achaean Greeks established city-kingdoms based on the Mycenaean model, introducing the Greek language and culture, preserved to this day despite the vicissitudes of history.

12. Cyprus was well known in the ancient world for its copper mines and forests. Its geostrategic position, at the crossroads of three continents, as well as its wealth, accounted for a succession of conquerors, including the Assyrians (673–669 B.C.), the Egyptians (560-545 B.C.) and the Persians (545–332 B.C.).

13. During the fifth century B.C., there was considerable interaction between Athens and the Cypriot city-states, particularly Salamis.

14. After the breakup of Alexander the Great's empire, Cyprus became a part of the Ptolemaic empire of Egypt. The Hellenistic period ended in 58 B.C. with the arrival of the Romans.

15. In 45 A.D. Christianity was introduced to Cyprus by Apostles Paul and Barnabas, a Cypriot.

16. In 330 A.D. Cyprus became part of the Eastern Section of the Roman Empire, and later (395 A.D.) of the Byzantine Empire until the 12th century A.D.

17. During the Crusades, Cyprus was conquered by Richard the Lionheart of England (1191), who then sold the island to the Knights Templar. Between 1192–1489, the Frankish Lusignans established a Kingdom introducing the western feudal model. Cyprus was then ruled by the Republic of Venice until 1571, when the island was conquered by the Ottomans. The Ottoman rule lasted until 1878 when Cyprus was ceded to Britain. In 1923, under the Treaty of Lausanne, Turkey relinquished every right to Cyprus and recognised Cyprus' annexation to Britain, already proclaimed by the British Government in 1914.

18. After a long but unsuccessful peaceful political and diplomatic effort, which included the 1950 referendum for self-determination, in 1955 the Greek Cypriots took up arms against the colonial power.

19. On 16 August 1960, on the basis of the Zurich-London Agreements, Cyprus became an independent Republic.

20. On 15 July 1974, the military junta then ruling Greece, with the collusion of Greek Cypriots collaborators on the island, carried out a coup to overthrow the democratically elected Government of Cyprus. On 20 July 1974, Turkey, using the coup as a pretext, and in violation of international codes of conduct established under treaties to which it is signatory, invaded Cyprus purportedly to restore constitutional order. Instead, it seized 36,2% of sovereign territory of the Republic in violation of the Charter of the United Nations and fundamental principles on international law. Turkey's military aggression against Cyprus continues unabated for four decades in spite of United Nations resolutions calling for the withdrawal of foreign troops from Cyprus.

21. On 1 May 2004 the Republic of Cyprus became a Member State of the European Union.

2. Population

22. The total population of Cyprus (end of 2012) was 865,900.SBOY

23. Population distribution by ethnic group: 71,9% Greek Cypriots (out of which 0,4% Armenians; 0,7% Maronites; 0,1% Latins); 9,5% Turkish Cypriots; and 18,6% others, i.e. foreign residents. Note: These figures do not include the settlers, approximately 160–170 thousands illegally transferred from Turkey since the 1974 Turkish invasion in order to

alter the demographic structure of Cyprus, in contravention of international law, and the Turkish occupation forces (approximately 40,000 troops). It is estimated that more than 57,000 Turkish Cypriots have emigrated since 1974.

24. Prior to the Turkish invasion, the two communities lived together in roughly around the same proportion of four Greeks to one Turk in all the six administrative districts. As a result of the Turkish invasion and continuing occupation of 36.2% of the territory of the Republic of Cyprus, the Greek Cypriots were forcibly expelled by the invading army from the northeastern area it occupied and are now living in the area under the effective control of the Government of the Republic of Cyprus. Almost all the Turkish Cypriots in the southeast were forced by their leadership to move to the area occupied by Turkish troops. The vast majority of the 22,000 Greek and Maronite Cypriots who remained enclaved in the area occupied by the Turkish army were subsequently expelled. Despite the Vienna III Agreement of 2 August 1975, which stipulated that "Greek Cypriots at present in the north of the island are free to stay and that they will be given every help to lead a normal life..." the occupation regime never honored its humanitarian obligations and instead implemented a policy of forced expulsion. By January 2014 the number of the enclaved had dwindled to a mere 441, mostly elderly, Greek (336) and Maronite (105) Cypriots.

25. The policies and practices pursued by Turkey in the occupied area since its invasion of Cyprus constitute one of the first examples of ethnic cleansing in post World-War II Europe.

26. The official languages of the country are Greek and Turkish. Nearly all Greek Cypriots are Christian-orthodox; Turkish Cypriots are Moslems; members of the Armenian, Maronite and Latin minorities adhere to their own Christian denominations and under Article 2 par. 3 of the Constitution, have opted to belong to the Greek Community of Cyprus.

Population distribution by mother tongue in rural and urban areas

*Language**	*Total*	*Urban*	*Rural*
Total	**840,407**	**566,191**	**274,216**
Greek	**679,833**	453,532	226,301
English	**34,814**	17,767	17,047
Romanian	**24,270**	17,004	7,266
Russian	**20,984**	17,777	3,207
Bulgarian	**18,388**	12,880	5,508
Arabic	**9,762**	7,807	1,955
Filipino	**9,109**	7,612	1,497
Sri Lankan	**7,157**	5,410	1,747
Vietnamese	**6,979**	4,029	2,950
Hindi	**3,160**	2,108	1,052
Polish	**2,805**	2,055	750
Ukrainian	**1,866**	1,485	381
Armenian	**1,409**	1,316	93
Turkish	**1,405**	968	437
German	**1,294**	782	512
Chinese	**1,218**	996	222
French	**1,139**	970	169
Slovak	**892**	594	298

*Language**	*Total*	*Urban*	*Rural*
Hungarian	**593**	438	155
Spanish	**522**	406	116
Yugoslavian	**483**	401	82
Swedish	**395**	231	164
Finnish	**361**	259	102
Portuguese	**346**	242	104
Dutch	**343**	193	150
Italian	**343**	265	78
Czech	**269**	196	73
Danish	**157**	85	72
Other	**4,817**	4,204	613
Not stated	**5,294**	4,179	1,115

Source: Census of Population 2011

* The language that the respondent spoke was recorded.

Age composition: see relevant table in annex I.

Dependency ratio (percentage of population under 15 and over 65 years of age)

2008	43.1
2009	42.3
2010	41.9
2011	41.5
2012	42.0

Average household size

Total	**2.79**
Urban	2.73
Rural	2.90

Population growth rate (%)

2008	2.6
2009	2.8
2010	2.6
2011	2.6
2012	0.5

Population density (per square km)

Year	*Density per km²*
2008	96
2009	98
2010	100

Year	*Density per km²*
2011	103
2012	103

Live births by sex and birth rates, 2008–2012

Year	***Total***	*Males*	*Females*	*Birth rate*	*% change over previous year*	*Sex ratio at birth*	*Masculinity proportion at birth*
2008	**9,205**	4,727	4,478	11.7	7.3	1,056	51.4
2009	**9,608**	4,904	4,704	11.9	4.4	1,043	51.0
2010	**9,801**	4,994	4,807	11.8	2.0	1,039	51.0
2011	**9,622**	4,891	4,731	11.3	-1.8	1,034	50.8
2012	**10,161**	5,304	4,857	11.8	5.6	1,092	52.2

Life expectancy at birth for males and females

Period	*Males*	*Females*
2000/01	76.1	81.0
2002/03	77.0	81.4
2004/05	77.0	81.7
2006/07	78.3	81.9
2008/09	77.9	82.4
2010/11	79.0	82.9

Total fertility rate

2008	1.48
2009	1.48
2010	1.44
2011	1.35
2012	1.39

27. Proportion of single-parent households and households headed by women: 7%.

Share of (household) consumption expenditures on food, housing, health and education (2009)

Food and Non-Alcoholic drinks	12.3%
Housing, electricity, water and other fuels	26.6%
Health	5.4%
Education	3.4%

28. Proportion of population below the national poverty line (2012): 14.7%, which corresponds to 126,716 people.

Population distribution (%) living below poverty line according to age and gender 2012

Age	*Total*	*Males*	*Females*
0-17	**13.9**	14.4	13.2
18-24	**11.2**	9.8	12.7
25-49	**12.6**	11.1	13.9
50-64	**11.9**	9.1	14.6
65+	**29.3**	24.2	33.6
18-64	**12.2**	10.3	13.9

29. Gini coefficient (relating to distribution of income or household consumption expenditure) (2012): 31.0%

Gross enrolment ratio in primary and secondary education (2011)

Primary	100%
Secondary	97%

Attendance and drop-out rates in primary and secondary education
Early leavers from education and training (2013)

Total	**9.1%**
Males	14.8%
Females	4.2%

Pupil/Teacher Ratio (Total in public and private schools) 2011/2012

Pre-school and pre-primary	14.2%
Primary education	11.5%
Secondary education	8.2%
Tertiary education	15.7%

Per capita income-Euro

2008	21.546.4
2009	19.974.4
2010	20.310.8
2011	21.383.5
2012	19.828.2

Gross domestic product (GDP)-Euro mn

2008	17.157.1
2009	16.853.5
2010	17.406.0
2011	17.878.0
2012	17.720.2

Annual growth rate (%)

2008	3.6
2009	-1.9
2010	1.3
2011	0.4
2012	-2.4

Gross National Income (GNI))-Euro mn

2008	16.984.4
2009	16.139.3
2010	16.845.8
2011	18.195.2
2012	17.129.6

External and domestic public debt – Euro mn

2008	8.388.2
2009	9.864.5
2010	10.674.5
2011	12.778.4
2012	15.349.5

Consumer Price Index (CPI) 2009–2013

Year	*Average*	*Inflation (%)*
2009	110.18	0.3
2010	112.86	2.4
2011	116.57	3.3
2012	119.36	2.4
2013	118.88	-0.4

Social expenditures (eg., food, housing, health, education, social protection, etc.) as proportion of total public expenditure and GDP

	2007	*2008*	*2009*	*2010*	*2011*	*2012*
Housing % of total exp	6.2	6.4	7.0	6.1	5.8	5.0
% of GDP	2.5	2.7	3.2	2.8	2.7	2.3
Health % of total exp	7.0	7.1	7.1	7.2	7.3	7.1
% of GDP	2.9	3.0	3.3	3.3	3.4	3.3
Education % of total exp	15.3	16.1	15.7	16.1	15.6	14.6
% of GDP	6.3	6.8	7.2	7.5	7.2	6.7
Social Protection % of total exp	23	23.3	23.8	25.3	26.1	27.2
% of GDP	9.5	9.8	11.0	11.7	12.1	12.4

30. Proportion of international assistance provided in relation to the State budget by sector and in relation to GNI: N/A

Infant and maternal mortality rates

2011	
Maternal mortality rate	0
Infant mortality rate (per 1.000 live births)	3.1
2012	
Maternal mortality rate	0
Infant mortality rate (per 1.000 live births)	3.5

Rates of infection of HIV/AIDS and major communicable diseases

2012	
HIV/AIDS diagnoses per 100.000 population	6.02
(Excluding cases among non-residents of Cyprus Government Controlled Area)	
2013	
HIV/AIDS diagnoses per 100.000 population	5.4
(Excluding cases among non-residents of Cyprus Government Controlled Area)	

31. Prevalence of major communicable and non-communicable diseases: See relevant table in annex II.

Ten major causes of death

2011

Cause of death	*Frequency*	*Percentage Distribution*
Diseases of the circulatory system	2.119	39.2%
Neoplasms	1.194	22.1%
Endocrine, nutritional and metabolic diseases	426	7.9%
Diseases of the respiratory system	366	6.8%
External causes of morbidity and mortality	278	5.1%
Diseases of the digestive system	196	3.6%
Diseases of the genitourinary system	174	3.2%
Diseases of the nervous system and the sense organs	164	3.0%
Infectious and parasitic diseases	85	1.6%
Mental and behavioural disorders	81	1.5%
Other causes of death	318	5.9%
Total number of deaths	**5,401**	**100.0%**

2012

Cause of death	*Frequency*	*Percentage Distribution*
Diseases of the circulatory system	2116	37.4%
Neoplasms	1279	22.6%
Endocrine, nutritional and metabolic diseases	434	7.7%
Diseases of the respiratory system	434	7.7%
External causes of morbidity and mortality	293	5.2%
Diseases of the genitourinary system	199	3.5%
Diseases of the nervous system and the sense organs	191	3.4%
Diseases of the digestive system	163	2.9%
Mental and behavioural disorders	90	1.6%
Infectious and parasitic diseases	89	1.6%
Other causes of death	377	6.7%
Total number of deaths	**5665**	**100.0%**

Unemployment rates by age group and sex, 2009–2013

		Age groups					
Year Sex		*15+*	*15-64*	*15-24*	*25-54*	*55-64*	*65+*
2009	Total	5.4	5.5	13.8	4.6	4.3	0.6
	Males	5.3	5.5	13.6	4.6	4.4	0.7
	Females	5.5	5.6	14.0	4.5	4.2	0.5
2010	Total	6.3	6.5	16.6	5.4	4.7	0.2
	Males	6.1	6.4	15.9	5.5	5.1	0.3
	Females	6.4	6.5	17.2	5.3	4.1	0.0
2011	Total	7.9	8.1	22.4	6.8	4.9	0.6
	Males	8.1	8.4	23.3	7.2	5.1	0.6
	Females	7.6	7.8	21.5	6.4	4.5	0.5
2012	Total	11.8	12.1	27.8	10.5	9.7	1.1
	Males	12.5	12.8	28.8	11.2	10.9	1.5
	Females	11.1	11.2	26.7	9.8	7.6	0.0
2013	Total	15.9	16.1	38.9	13.9	12.4	5.4
	Males	16.5	16.8	41.1	14.4	14.2	6.9
	Females	15.2	15.3	36.8	13.4	9.4	1.2

32. Employment by major sectors of economic activity: See relevant table in annex III.

Work participation rates (2008–2012)

		Age groups					
Year Sex		*15+*	*15-64*	*15-24*	*25-54*	*55-64*	*65+*
2008	Total	64.2	73.6	41.7	86.5	56.6	12.3
	Males	73.1	82.0	43.1	94.0	73.0	21.4

		Age groups					
Year	Sex	15+	15-64	15-24	25-54	55-64	65+
	Females	55.8	65.7	40.5	79.1	41.0	4.5
2009	Total	63.7	73.0	40.4	86.3	58.2	12.4
	Males	71.5	80.7	42.1	93.5	74.4	19.0
	Females	56.7	66.0	38.8	79.8	42.3	6.6
2010	Total	64.3	73.6	40.6	86.9	59.1	12.9
	Males	71.4	80.4	40.9	93.4	74.3	20.4
	Females	57.8	67.4	40.2	81.0	44.3	6.3
2011	Total	63.7	73.5	38.8	87.3	57.6	11.2
	Males	70.7	80.4	41.4	93.1	72.9	17.5
	Females	57.5	67.4	36.6	82.0	42.7	5.8
2012	Total	63.4	73.5	39.0	87.6	56.1	9.6
	Males	70.6	80.7	42.8	93.8	71.2	15.0
	Females	56.9	66.9	35.5	82.0	41.3	4.9

33. Proportion of work force registered with trade unions: The latest available official data (2011) on trade union membership shows that approximately 52% of the workforce in Cyprus is organized in two major trade union confederations, Pancyprian Federation of Labour (PEO) and Cyprus Workers Confederation (SEK) and a smaller one, Democratic Labour Federation of Cyprus (DEOK), as well as other autonomous unions representing public sector workers and bank employees. About 40% of the private sector's workforce is registered with trade unions. In 2013 the trade union membership is expected to be reduced to 48%.

3. Economy

34. The Cyprus economy is based on the free market system. The private sector is the backbone of economic activity. The government's role is basically limited to safeguarding a transparent framework for the operation of the market mechanism, the exercise of indicative planning and the provision of public utilities and social services.

35. International trade is of considerable importance to the economy of Cyprus. On the production side, the lack of raw materials, energy resources and heavy industry for the production of capital goods necessitates their import. On the demand side, because of the small size of the domestic market, exports are vital in supplementing aggregate demand for Cypriot agricultural, manufactured products and services. The main economic partners of Cyprus are the European Union, neighbouring Middle-East countries and Eastern Europe.

36. Although the blow inflicted on the economy by the Turkish invasion of 1974 was devastating (the occupied part at that time accounted for almost 70% of GDP), recovery was remarkable. The decline in the volume of production experienced during 1974 was quickly reversed and by 1977 it surpassed its pre-1974 level. Business confidence returned followed by a sharp upturn in investment. By 1979 conditions of full employment were restored. The rate of unemployment, which approached 30% of the economically active population during the second half of 1974, had been virtually eliminated (1.8%) and the internally displaced persons were temporarily re-housed, pending their return to their ancestral homes.

37. In the post-1974 period the economy underwent major structural changes. The manufacturing sector accounted for growth during the second half of the 1970s and the

early 1980s, overtaken by the tourism sector in the late 1980s and by other service sectors in the early 1990s. These structural changes were reflected in a corresponding differentiation of the above-mentioned sectors regarding their contribution to GDP and gainful unemployment. Cyprus has gradually been converted from an underdeveloped country, in which the importance of the primary sectors was dominant, into a service-oriented economy.

38. On January 1st 2008, the Cyprus pound was replaced by the euro as the legal tender money of Cyprus at the irrevocable fixed exchange rate €1=C Y£ 0,585274.

39. Before the emergence of the global economic crisis, Cyprus had enjoyed a track record of satisfactory economic growth, low unemployment and relatively stable macroeconomic conditions. However, the international economic crisis has had a major impact on the economy, as reflected in the main economic indicators. The fiscal and structural imbalances, together with the exposure of the biggest Cypriot banks to the Greek market and the holding of significant amount of Greek Government Bonds, played a major role in the steep increase of borrowing costs from international markets and the resulting request for assistance from the Troika.

40. More importantly, the decision by the Eurogroup to impose a haircut on uninsured deposits in the two biggest Cypriot banks, have had significant negative consequences on one of the main drivers of the Cyprus economy, that is the banking sector. The abrupt and sudden shrinking of the banking sector and the loss of wealth by depositors is unavoidably affecting the real economy.

41. The agreement with the Troika for a macroeconomic adjustment Programme (Memorandum of Understanding -MoU), is envisaged to bring back economic stability. The Programme is an ambitious one, aiming at achieving 4% of GDP primary balance by 2018. The adjustment Programme is already under implementation and has been positively assessed by the Troika so far. The Government of the Republic of Cyprus is fully committed and determined to continue the strict implementation of the Memorandum of Understanding. The Programme addresses challenges in three main areas, namely fiscal issues, banking and structural issues.

42. Given the negative developments in the economy, a significant negative economic growth was observed in 2013 of the magnitude of around 5.4%. Given the significant deceleration of the economy, unemployment rose steeply, reaching around 16% in 2013, a rate considerably high for Cyprus.

43. The per capita GDP at purchasing power standards for 2012 stands at 92,0% of the European Union average (28 countries at the time).

B. Constitutional, political and legal structure

44. The Republic of Cyprus was established on 16 August 1960, with the coming into force of three main treaties and its Constitution, which have their origin in the Zurich Agreement of 11 February 1959 between Greece and Turkey, and the London Agreement of 19 February 1959 between Greece, Turkey and the United Kingdom. The three main treaties are:

(a) **The Treaty concerning the Establishment of the Republic of Cyprus** signed by Cyprus, Greece, Turkey and the United Kingdom. This provided for the establishment of the Republic of Cyprus and, inter alia, for the creation and operation of two British military base areas in Cyprus; the co-operation of the Parties for the common defence of Cyprus; and the recognition and respect of human rights of everyone within the

jurisdiction of the Republic comparable to those set out in the European Convention of Human Rights (United Nations Treaty Series, vol. 382 (1960) no. 5476).

(b) **The Treaty of Guarantee** signed by Cyprus, the United Kingdom, Greece and Turkey by which the independence, territorial integrity and security of the Republic of Cyprus, as well as the state of affairs established by the Basic Articles of its Constitution, are recognized and guaranteed (United Nations Treaty Series, vol. 382 (1960) no. 5475).

(c) **The Treaty of Alliance** signed by Cyprus, Greece and Turkey, aiming at protecting the Republic of Cyprus against any attack or aggression, direct or indirect, directed against its independence or its territorial integrity (United Nations Treaty Series, vol. 397 (1961) no. 5712).

45. **The Constitution** of the Republic of Cyprus, whilst establishing an independent and sovereign Republic was "unique in its tortuous complexity and in the multiplicity of the safeguards that it provides for the principal minority" (S.A. de Smith, *The new Commonwealth and its Constitutions* (London, 1964, p. 296). Within less than three years, abuse of safeguards by the Turkish Cypriot leadership led to a total dysfunction of the Constitution. In 1963, Turkey instigated the Turkish Cypriot leadership's insurrection against the state; forced the Turkish Cypriot members of the executive, legislature, judiciary and the civil service to withdraw from their posts and created military enclaves in several areas of the island.

46. As a result of the intercommunal violence that ensued, the United Nations Security Council, in resolution 186 (4 March 1964) send to Cyprus a Peace-Keeping Force (UNFICYP) with the consent of the Government of the Republic of Cyprus.

47. Turkey illegally invaded Cyprus on July 20 1974, using as a pretext a coup d'état against the Government of the Republic instigated by the then Greek military junta. Since then, more than 40,000 Turkish troops have remained illegally stationed on the island and occupy the 36.2% of the territory of the Republic of Cyprus, in violation of the Charter of the United Nations, the Treaties of Guarantee, Establishment and Alliance and the relevant principles and norms of international law. 40% of the total Greek Cypriot population, representing 82% of the population of the occupied part of Cyprus, was forcibly expelled. Thousands of people, including civilians, were wounded, ill-treated or killed. Hundreds of Greek Cypriots, including women, children and other civilians, many of whom were known to have been captured alive by the Turkish army, remain unaccounted for. The cultural and religious heritage in the occupied areas of Cyprus was the target of systematic destruction, as part of the concerted Turkish policy of changing the character of the said areas. Most worryingly, Turkey pursues a systematic policy of illegal colonization in the occupied areas, resulting in a drastic demographic change. Today, Turkish settlers are estimated to be at least twice as many as the Turkish Cypriots.

48. United Nations General Assembly and Security Council resolutions repeatedly called for the respect of the sovereignty, independence and territorial integrity of the Republic of Cyprus and for the withdrawal of all foreign military forces. Moreover, the United Nations demanded the return of the internally displaced persons to their homes in safety, as well as the tracing and accounting of the missing persons; and called for respect of the human rights of the Cypriots.[1]

[1] See inter alia General Assembly resolutions 3212 (XXIX) 1 Nov. 1974; 3395 (XXX) 20 Nov.1975; 31/12 (1976) 12 Nov.1976; 32/15 (1977) 9 Nov. 1977; 33/15 (1978) 9 Nov.1978; 34/30 (1979) 20 Nov. 1979; 37/253 (1983) 13 May 1983; - Security Council resolutions 353 (1974) 20 July 1974; 354 (1974) 23 July 1974; 355 (1974) 1 August 1974; 357 (1974) 14 August 1974; 358 (1974) 15 August 1974; 359 (1974) 15 August 1974; 360 (1974) 16 August 1974; 361 (1974) 30 August 1974;

49. On 15 November 1983, Turkey's illegal subordinate local administration in the occupied part of Cyprus, issued a unilateral declaration purporting to create an independent state ("TRNC"). United Nations Security Council resolutions 541 (1983) and 550 (1984) condemned the said unilateral declaration and all subsequent secessionist acts; declared them legally invalid and called for their immediate withdrawal. The resolutions also called upon all states not to recognize the secessionist entity and not to facilitate or in any way assist it. Since then, the secessionist entity has not been recognized by any country other than Turkey, which is the occupation power.

50. The European Court of Human Rights in the case of *Cyprus v. Turkey* (application no. 25781/94, 10 May 2001) pronounced on the overall legal consequences of Turkey's invasion and continued military presence in Cyprus. The Court reiterated that:

- The Government of the Republic of Cyprus is the sole legitimate Government of Cyprus;
- The international community and the Court do not consider the "TRNC" as a state under international law;
- Turkey's subordinate local administration in northern Cyprus survives by virtue of Turkish military occupation;
- Turkey, having "effective overall control over northern Cyprus" is responsible for all human rights violations by her own soldiers, officials or its subordinate local administration.

51. The Court has also pronounced important judgments upon individual applications of Cypriots. In the landmark case of *Loizidou v. Turkey*, the Court ordered the Government of Turkey to compensate the applicant for the time period of deprivation of use of her property and to provide full access and allow peaceful enjoyment of her property in Kyrenia.

52. The Republic of Cyprus became a member of the European Union on May 1 2004 with the whole of its territory. By virtue of Protocol 10 of the 2003 Treaty of Accession of Cyprus to the European Union (Accession Treaty) : "the application of the acquis shall be suspended in those areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control."

53. The European Court of Justice in its judgment in the case *Meletios Apostolides v. David Charles Orams and Linda Elizabeth Orams* (28/4/2009), reaffirmed the jurisdiction of the Republic and its courts in the areas of the Republic not under the effective control of

364 (1974) 13 Dec. 1974; 365 (1974) 13 Dec.1974; 367 (1975) 12 March 1975; 370 (1975) 13 June 1975; 414 (1977) 15 Sept. 1977; 440 (1978) 27 Nov. 1978; 541 (1983) 18 Nov 1983; 550 (1984) 11 May 1984; 649 (1990) 12 March 1990; 716 (1991) 11 Oct. 1991; 750 (1992) 10 April 1992; 774 (1992) 26 Aug. 1992; 789 (1992) 25 Nov. 1992; 939 (1994) 29 July 1994; 969 (1994) 21 Dec. 1994; 1000 (1995) 23 June 1995; 1032 (1995) 19 Dec. 1995; 1062 (1996) 28 June 1996; 1092 (1996) 23 Dec. 1996; 1117 (1997) 27 June 1997; 1146 (1997) 22 Dec. 1997; 1178 (1998) 29 June 1998; 1179 (1998) 29 June 1998; 1217 (1998) 22 Dec. 1998; 1218 (1998) 22 Dec. 1998; 1250 (1999) 26 June 1999; 1251 (1999) 29 June 1999; 1283 (1999) 15 December 1999; 1303 (2000) 14 June 2000; 133 (2000) 13 December 2000; 1354 (2001) 12 June 2001, 1384 (2001) 13 December 2001; 1416 (2002) June 2002; 1442 (2002) December 2002; 1475 (2003) 14 April 2003; 1486 (2003) June 2003; 1517 (2003) December 2003; 1548 (2004) 11 June 2004; 1568 (2004) December 2004; 1604 (2005) June 2005; 1642 (2005) December 2005; 1687 (2006) June 2006; 1728 (2006) December 2006; 1758 (2007) June 2007; 1789 (2007) December 2007; 1818 (2008) June 2008; 1847 (2008) December 2008; 1873 (2009) June 2009; 1898 (2009) December 2009; 1930 (2010) June 2010; 1953 (2010) December 2010; 1986 (2011) July 2011; 2026 (2011) December 2011; 2058 (2012) July 2012; 2089 (2013) January 2013; 2114 (2013) July 2013.

the Government. Greek Cypriots, who own properties in the occupied areas of the Republic, remain the legal owners of such properties, despite the illegal Turkish occupation and these owners have the possibility of resorting to justice in order to prevent any unlawful exploitation of their property.

54. Due to the continuing illegal Turkish occupation, the Government of the Republic of Cyprus is prevented by armed force from exercising its authority and control and ensuring implementation and respect of human rights in the occupied areas.

55. In its search for a peaceful solution, the Cyprus Government, despite the continuing illegal occupation, agreed to intercommunal talks being held on the basis of the aforesaid United Nations resolutions and through the good offices mission of the United Nations Secretary-General.

56. The Cyprus Government aims at a just, viable, comprehensive and functional solution of the Cyprus problem, under a bizonal, bicommunal federal structure that will guarantee the independence, territorial integrity, unity and sovereignty of Cyprus, free from occupation troops and illegal settlers; a solution that will reunify the island and its people and which would ensure full respect of human rights and fundamental freedoms for all Cypriots.

The Constitution

57. The Constitution provides for a presidential system of government with a Greek Cypriot President and a Turkish Cypriot Vice-President, elected by the Greek and Turkish Communities of Cyprus respectively for a fixed five-year term (Article 1).

58. According to the Constitution executive power is exercised by the President and the Vice President of the Republic, the Council of Ministers and each Minister on an individual basis. The Constitution also provided for the Council of Ministers, to be comprised of 7 Greek and 3 Turkish Cypriot ministers, nominated by the President and the Vice-president respectively, but appointed by them jointly. The Council of Ministers exercises executive power in all matters other than those which, under express provisions of the Constitution, fall within the competencies of the President and Vice-President and the Communal Chambers (Article 54).

59. A unicameral House of Representatives is provided for by the Constitution as the legislative body of the Republic, composed of 80 representatives, 56 elected by the Greek Community and 24 by the Turkish Community for a five-year term with a Greek Cypriot President and a Turkish Cypriot Vice President elected separately.

60. The House of Representatives exercises the legislative power in all matters except those expressly reserved for the Communal Chambers under the Constitution (Article 61).

61. Two Communal Chambers were also envisaged by the Constitution to exercise legislative and administrative power in certain restricted subjects, such as religious affairs, educational and cultural matters, as well as over communal taxes and charges levied to provide for the needs of bodies and institutions under the control of the Chamber (Articles 86 to 90).

62. The Constitution provided for a Supreme Constitutional Court consisting of a neutral President and a Greek Cypriot and a Turkish Cypriot judge appointed by the President and the Vice-President of the Republic and a High Court consisting of two Greek Cypriot judges, one Turkish Cypriot judge and one neutral President, all similarly appointed.

63. The Supreme Constitutional Court was vested with jurisdiction in all constitutional and administrative law matters. The High Court is the highest appellate court, it has

revisional jurisdiction and the power to issue orders in the nature of habeas corpus and other prerogative writs. Ordinary civil and criminal jurisdiction in the first instance is vested in the Assize and District Courts. The Constitution prohibits the setting up of judicial committees or exceptional or special courts under any guise.

64. The independent officers of the Republic are the Attorney General and his/her Deputy, the Auditor-General and his/her Deputy and the Governor and Deputy-Governor of the Central Bank. All are appointed by the President and Vice-President on a community basis. The public service of the Republic should be composed of 70% Greek Cypriots and 30% Turkish Cypriots with a Public Service Commission similarly composed, responsible for appointments, promotions, discipline etc.

65. Both communities were given the right to maintain a special relationship with Greece and Turkey, including the right to receive subsidies for educational, cultural, athletic and charitable institutions and of obtaining and employing schoolmasters, professors or clergymen provided by the Greek or Turkish Government (Article 108).

66. The entrenched communal character of the Constitution was confirmed by the voting system. All elections were to be conducted on the basis of separate communal electoral lists (Articles 63 and 94) and separate voting (Articles 1, 39, 62, 86, 173 and 178). Elections are now based on the proportional representation principle.

67. The withdrawal of the Turkish Cypriot officials and civil servants and their refusal to exercise their functions rendered governance, in accordance with certain constitutional provisions, impossible.

68. Matters came to a head when the neutral Presidents of the Supreme Constitutional and High Courts resigned in 1963 and 1964 respectively and, therefore neither Court could function. It should be noted that the Turkish Cypriot judges in both the superior and district courts remained in their posts until 1966 when they were forced by the Turkish Cypriot leadership to leave the bench whereupon half of them fled abroad.

69. The above situation necessitated the introduction of remedial legislative measures. Thus a new Administration of Justice (Miscellaneous Provisions) Law of 1964 was enacted creating a new Supreme Court, which took over the jurisdiction of both the Supreme Constitutional Court and the High Court. The first President of the Supreme Court was the Turkish Cypriot, most senior judge of the High Court. The same law reconstituted the Supreme Council of the Judicature, which is the body that ensures the independence of the judiciary.

70. The constitutionality of the Administration of Justice (Miscellaneous Provisions) Law, 1964 was challenged before the Supreme Court which, in the case of the *Attorney General of the Republic* v. *Mustafa Ibrahim* (1964) (Cyprus Law Reports p. 195) decided that the Law was justified under the doctrine of necessity in view of the abnormal situation prevailing in Cyprus. Thereafter the administration of justice reverted to normal.

71. Other main areas where, on the basis of the same doctrine, legislative action remedied similar situations were the Communal Chamber, the Public Service, Commission and the membership of the House of Representatives.

72. Due to the refusal of one of the two Communities of Cyprus to participate, the Executive and the Legislature are in fact not bi-communal (see paras. 53 to 56 concerning the events during the period 1963–64). However, when in 1985 the number of seats in the House of Representatives was increased from 50 to 80, 24 seats were allotted to Representatives to be elected by the Turkish Community under Article 62 of the Constitution and currently remain vacant. Thus, the Greek Community actually elects Representatives for only 56 of those seats.

73. A special law was enacted in 2006, "The Exercise of the Right to Vote and be Elected by Members of the Turkish Community with Ordinary Residence in the Free Areas of the Republic (Temporary Provisions)" Law, [L.2(I)/2006] by virtue of which Turkish Cypriots residing in the government controlled area are given the right to vote and stand for election for all national elections (municipal, parliamentary and presidential). As regards parliamentary elections, this relates to the filling of the 56 seats allotted to the Greek Community. By virtue of the Election of Member of the European Parliament Law, 2004 [L.10(I)/2004, as amended] Turkish Cypriots have the right to vote and stand for election in the elections for the members of the European Parliament, irrespective of their place of residence in Cyprus.

74. In purporting to safeguard the rights of certain groups of people who were otherwise entitled to be citizens of the state, but could not fall into the constitutional definition of either of the two Communities (Greek/Turkish) of Cyprus (vis Art. 2), the Constitution defined them as religious groups, that is, "a group of persons ordinarily resident in Cyprus professing the same religion and either belonging to the same rite or being subject to the same jurisdiction thereof the number of whom, on the date of the coming into operation of the Constitution, exceeds one thousand out of which at least five hundred become on such date citizens of the Republic". In 1960 the Cypriot Maronites, Armenians and Latins fell within the definition of religious groups and were recognised as citizens of the state.

75. The said groups were then given the option to belong to one of the two Communities so that they could enjoy the political rights within the concept of the power sharing arrangement between the two Communities. All opted to belong to the Greek Community.

76. Each religious group has the additional right to elect one representative to represent it in the House of Representatives, exercising advisory functions in relation to legislation concerning the respective group.

77. Incidence of violent death and life threatening crimes reported per 100,000 persons:

- 0.85 (2010);
- 15.95.

Number of persons and rate (per 100,000 persons) who were arrested/brought before a court/convicted/sentenced/incarcerated for violent or other serious crimes (such as homicide, robbery, assault and trafficking)
Admissions of convicted prisoners by offence group, 2005–2010

		2005	*2006*	*2007*	*2008*	*2009*	*2010*
Offence group		*Absolute Numbers*					
I	Against public order	0	0	0	0	0	2
II	Against lawful authority	3	2	1	4	12	18
III	Injurious to the public in general	102	105	84	92	79	60
IV	Sexual offences	30	26	33	23	24	17
V	Against the person	100	84	74	69	71	47
VI	Against property	229	314	329	259	211	280
VII	Malicious damages to property	7	7	8	8	5	3
VIII	Forgery, coining etc	59	23	3	21	43	19
IX	Motoring offences	19	16	5	6	13	10

Offence group		2005	2006	2007	2008	2009	2010
X	Regulatory offences	17	9	0	98	17	0
XI	Miscellaneous	622	750	744	675	957	845
	Total	**1,188**	**1,336**	**1,281**	**1,255**	**1,432**	**1,301**

		2005	2006	2007	2008	2009	2010
Offence group		Percentages					
I	Against public order	0.0	0.0	0.0	0.0	0.0	0.2
II	Against lawful authority	0.2	0.1	0.1	0.3	0.8	1.4
III	Injurious to the public in general	8.6	7.9	6.6	7.3	5.5	4.6
IV	Sexual offences	2.5	1.9	2.6	1.8	1.7	1.3
V	Against the person	8.4	6.3	5.8	5.5	5.0	3.6
VI	Against property	19.3	23.5	25.7	20.6	14.7	21.5
VII	Malicious damages to property	0.6	0.5	0.6	0.6	0.3	0.2
VIII	Forgery, coining etc.	5.0	1.7	0.2	1.7	3.0	1.5
IX	Motoring offences	1.6	1.2	0.4	0.5	0.9	0.8
X	Regulatory offences	1.4	0.7	0.0	7.8	1.2	0.0
XI	Miscellaneous	52.4	56.1	58.1	53.8	66.8	65.0
	Total	**100.0**	**100.0**	**100.0**	**100.0**	**100.0**	**100.0**

Number of reported cases of sexually motivated violence (such as rape, female genital mutilation, honour crimes and acid attacks)

	True cases	Detected	Undetected	Under Pending/Investigation		Detection rate %
Sexual offences	59	17	3	34	5	86.4
Rape	31	10	2	15	4	80.6
Attempt to commit rape	2	0	1	1	0	50
Abduction	6	1	0	5	0	100
Defilement of girls 13–17 years of age	3	2	0	1	0	100
Defilement of a mentally deficient woman	2	0	0	2	0	100
Unnatural offences	4	1	0	2	1	75
Rape (violence within the family)	2	0	0	2	0	100
Sexual exploitation of juveniles	8	2	0	6	0	100
Unnatural offences (violence within the family)	1	1	0	0	0	100

Admissions of convicted prisoners by sentence imposed, 2008–2010 (life and death sentences have been excluded)

Sentence	2008		2009		2010	
	Total	Penal Offenders	Total	Penal Offenders	Total	Penal Offenders
	Absolute Numbers					
Periodic detention	..	..	2	2	0	0
- 1 month	80	78	111	107	102	99
1 - 3 months	352	346	435	431	340	339
3 - 6 months	292	287	282	277	250	247
6 - 12 months	186	166	240	191	230	194
12 - 18 months	177	48	221	54	243	64
1.5 - 2 years	30	30	23	23	25	25
2 - 5 years	96	96	77	77	61	61
5 - 10 years	24	24	28	28	35	35
10 - 15 years	10	10	8	8	7	7
15 years & over	8	8	5	5	5	5
Life sentence	0	0	0	0	3	3
Death sentence	0	0	0	0	0	0
Total	**1,255**	**1,093**	**1,432**	**1,203**	**1,301**	**1,079**
	Percentages					
Periodic detention	..	..	0.1	0.2	0.0	0.0
- 1 month	6.4	7.1	7.8	8.9	7.8	9.2
1 - 3 months	28.0	31.7	30.4	35.8	26.1	31.4
3 - 6 months	23.3	26.3	19.7	23.0	19.2	22.9
6 - 12 months	14.8	15.2	16.8	15.9	17.7	18.0
12 - 18 months	14.1	4.4	15.4	4.5	18.7	5.9
1.5 - 2 years	2.4	2.7	1.6	1.9	1.9	2.3
2 - 5 years	7.6	8.8	5.4	6.4	4.7	5.7
5 - 10 years	1.9	2.2	2.0	2.3	2.7	3.2
10 - 15 years	0.8	0.9	0.6	0.7	0.5	0.6
15 years & over	0.6	0.7	0.3	0.4	0.4	0.5
Life sentence	0.0	0.0	0.0	0.0	0.2	0.3
Death sentence	0.0	0.0	0.0	0.0	0.0	0.0
Total	**100.0**	**100.0**	**100.0**	**100.0**	**100.0**	**100.0**

78. Incidence of death in custody: Police statistical data concerns only suicides in the Central Prison and in Police Detention Centers. Therefore, in 2012 one detainee committed suicide in a Police Detention Center and in 2013 three prisoners committed suicide in the Central Prison.

79. Number of persons executed under the death penalty per year: Capital punishment for murder was abolished in Cyprus with Criminal code (amendment) Law L 86/1983. It was abolished for all crimes with Law 15(I)/99. The death penalty was replaced with life imprisonment. Cyprus is a signatory of the Second Optional Protocol to the International Covenant on Civil and Political Rights, which provides for full abolition of capital punishment.

80. Average backlog of cases per judge at different levels of the judicial system: See relevant table in annex IV.

81. Number of police/security personnel per 100,000 persons: According to the last census of the population of Cyprus conducted by the Statistical Service in 2012, the estimated number of population residing in Cyprus in 2012 was 866,000. The number of police officers in 2012 (Fire Service excluded) was 5,263. Therefore, the number of police personnel per 100,000 persons in 2012 was 607.

82. It is also worth noting that, while the population of Cyprus is increasing, the number of police personnel is reducing. The number of police officers in 2014 is 5002.

Number of prosecutors and judges per 100,000 persons

2008	10.67
2009	10.26
2010	10.84
2011	10.56
2012	10.28

Share of public expenditure on police/security and judiciary
Summary chart of actual expenditure 2008–2012

Police

	2008	*2009*	*2010*	*2011*	*2012*
	Actual expenditure	*Actual expenditure*	*Actual expenditure*	*Actual expenditure*	*Actual expenditure*
Total expenditure	€	€	€	€	€
Total expenditure of the Police	223,980,017	238,010,973	255,374,542	241,247,552	228,264,048
Total expenditure of the Republic of Cyprus	7,375,825,939	7,746,961,077	7,718,239,821	8,008,714,983	8,257,831,260
Percentage of police expenditure	3.04%	3.07%	3.31%	3.01%	2.76%

Judiciary

	Total Budget (in euro)	*Judicial Service (in euro)*	%
2009	7,746,961,077	25,756,787	0.33
2010	7,718,239,821	25,512,449	0.33
2011	8,008,714,983	26,599,869	0.33
2012	8,257,831,260	26,548,440	0.32

2013	9.513.378.945	27.375.949	0.29

83. Maximum and average time of pre-trial detention: No maximum time.

84. Indicators on Political System:

- Number of recognized political parties at the national level: 10 (ten)
- Proportion of population eligible to vote: 62% of the total population
- Number of complaints on the conduct of elections registered, by type of alleged irregularity: None
- Distribution of legislative seats by party:
  - Democratic Rally Party (Disy): 20
  - Progressive Party of the Working People (AKEL)- Left- New Forces: 19
  - Democratic Party (Diko): 8
  - Movement of Social Democrats (EDEK): 5
  - European Party: 1
  - Cyprus Green Party: 1
  - Independent: 1
  - Citizens Alliance: 1
  - Total number of seats: 56
- Percentage of women in Parliament:12.5%
- Turnout in 2013 Presidential elections: 81.58%/Turnout in 2014 Euroelections: 43.97%
- Number of recognized non-governmental organizations: 378
- Main Mass Media
  - **TV Channels**: Antenna (ANT1 TV), Astra FM, Capital TV, Cyprus Broadcasting Corporation 1 (RIK 1) and 2 (RIK2), Cytavision, Lumiere TV (LTV), Mega TV, Sigma TV, Plus TV,
  - **Radio Channels**: Antenna FM (ANT1 FM), Cyprus Broadcasting Corporation-Radio One, Radio Two, Radio Three, Radio Four, Logos, Radio Proto,
  - **Newspapers**: *Alithia, Antilogos, Cyprus Mail, Gnomi, Haravgi, I Simerini, Kathimerini, Maxi, Philelftheros, Politis, The Cyprus Daily, The Cyprus Weekly, To Kypriako Pontiki,*

III. General framework for the protection and promotion of human rights

A. Acceptance of international human rights norms

85. Respect and protection of human rights are a key priority for the Republic of Cyprus. Human Rights are protected at the highest level. The Constitution of the Republic

sets out the Fundamental Rights and Liberties, which are also found in International and European Conventions on Human Rights.

86. Cyprus immediately after independence from colonial rule accorded vital importance to international law and particularly to human rights norms. Given the superior force of international instruments, international human rights law enriched and reinforced the body of municipal law that protects human rights and liberties. One of the first tasks of the new Republic was, therefore, to examine treaties extended to it by the United Kingdom of Great Britain and Northern Ireland and notify as appropriate succession thereto, whilst examining existing human rights regional and universal instruments and ratifying or acceding to nearly all of them, a policy that continues to date.

87. Central in the conduct of international relations of Cyprus, is the recognition of the predominance of international law, the purposes and principles of the Charter of the United Nations and particularly the peaceful settlement of disputes based on respect of human rights and fundamental freedoms.

88. Cyprus has become a party to all core international treaties as well as a State Party to the majority of human rights-related international and European instruments. Standards and obligations arising from these instruments are part of the legal framework of Cyprus.

89. **Annex V** to the present core document contains comprehensive information on ratification of main international and regional human rights instruments (amendments and optional procedures), as well as other information including declarations, reservations and objections.

B. Legal framework for the protection of human rights at the national level

90. The basis of the legal system of Cyprus is the common law and the principles of equity applicable at the time of independence as amended or supplemented thereafter by the Republic's statutes and case law. Independence also saw the introduction and development of the continental administrative and constitutional law. The constitutional structure of Cyprus embodies all norms necessary for the promotion and protection of human rights and secures the separation of powers and the independence of the judiciary.

91. The 1960 Constitution, the supreme law of the Republic, is the main instrument that recognises and protects human rights. Part II of the Constitution entitled "Fundamental Rights and Liberties" incorporates and expands upon the Universal Declaration and the European Convention on Human Rights.

92. Although the legislative, executive and judicial authorities are all enjoined by Article 35 of the Constitution to secure, within the limits of their respective competence, the efficient application of human rights, it is the totally independent judiciary that is the ultimate protector of human rights and liberties.

93. All laws and especially Criminal Law and Procedure must and do protect fundamental rights. Any law that violates in any way human rights will, and in many instances such laws or provisions thereof, upon a finding of inconsistency, were, declared by the Supreme Court unconstitutional.

94. Any restrictions or limitations of the human rights guaranteed under the Constitution have to be provided by law and have to be absolutely necessary only in the interests of the security of the Republic, or the constitutional order or the public safety, or the public order or the public health, or for the protection of the rights guaranteed by the Constitution to any person. Provisions relating to such limitations or restrictions should be interpreted strictly,

The Supreme Constitutional Court in the case of *Fina Cyprus Ltd* v. *The Republic* (RSCC, vol.4, p. 33) decided that legislation involving interference with the Fundamental Rights and Liberties safeguarded under the Constitution and their construction is governed by the settled principle that such provisions should be construed in case of doubt in favour of the said rights and liberties.

95. Wherever positive action is contemplated by the Constitution or other instruments in respect of certain, mainly social, economic or cultural rights, such action should be taken within reasonable time.

96. The remedies available to an individual who claims that his rights have been violated are the following:

- Right of petition and hierarchical recourse;
- Recourse to the Supreme Court for the annulment of any decision, act or omission of a body or authority (both original and revisional jurisdiction);
- Raising by a party to any judicial proceedings of the question of unconstitutionality of any law or decision whereupon the Court is obliged under certain circumstances to reserve the question for the decision of the Supreme Court and stay the proceedings;
- Civil action for compensation, restitution and declaratory judgment. In case of possible irreparable damage an injunction may be granted;
- Private criminal prosecution;
- Right of appeal in both civil and criminal cases;
- The prerogative writs of habeas corpus, certiorari, prohibition, mandamus and quo warranto;
- Courts exercising criminal jurisdiction may award compensation to victims of crimes up to, in the case of Assize Courts, €10,000 ;
- The Republic is also liable for any wrongful act or omission causing damage committed in the exercise or purported exercise of the duties of its officers or authorities;
- Council of Ministers may set up a Commission of Inquiry to investigate and report on serious allegations of misconduct including violations of human rights;
- The House of Representatives and its Committees in the exercise of their functions, including parliamentary control, consider, in many occasions, allegations or situations that involve abuse of human rights;
- The Attorney-General of the Republic has a special responsibility to ensure the observance of legality and the rule of law and may often proprio motu or at the instance of a complainant order inquiries or advise on remedies;
- The Commissioner for Administration (Ombudsman) has, inter alia, competency to investigate complaints by an individual whose rights have been violated by the administration or where the latter has acted contrary to law or in circumstances amounting to mal-administration; In addition, due to the expansion of his competences, the Commissioner for Administration investigates complaints of discrimination on the grounds of race, community, language, colour, religion, political or other beliefs, ethnic or national origin and generally the promotion of equal treatment in the fields of employment, social protection, social insurance, social benefits, healthcare, education, participation in unions and professional organisations, and access to goods and services, including housing.

- The Independent Authority for the Investigation of Allegations and Complaints Against the Police has authority to investigate and examine cases addressed against police officers. The Authority is independent and consists of members with high morals and qualifications, appointed by the President of the Republic.
- An individual, having exhausted local remedies, may have recourse or submit a communication under the optional procedures of various international human rights instruments such as: the International Convention on the Elimination of All Forms of Racial Discrimination ; Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women; the Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights); the Optional Protocol to the International Covenant on Civil and Political Rights; the International Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment;
- Cyprus has also accepted the compulsory jurisdiction of the European Court of Human Rights and the optional clause of compulsory jurisdiction of article 36(2) of the Statute of the International Court of Justice.

97. In case of war or public danger threatening the Republic or any part thereof, certain of the fundamental rights guaranteed under and specified by the Constitution may be suspended during the period of the emergency by a proclamation of emergency issued by the Council of Ministers. Such proclamation must be laid forthwith before the House of Representatives which has the power to reject it. The rights that may be suspended are the following:

- Prohibition of forced and compulsory labour;
- The right to liberty and security of person;
- Freedom of movement;
- Inviolability of dwelling house;
- Interference with correspondence;
- Freedom of speech and expression;
- The rights of assembly and freedom of association;
- Right to property, only in so far as prompt payment of compensation for
- Requisitioning is concerned;
- Right to practice any profession or to carry on any business; and
- Right to strike.

98. It should be noted that Cyprus has never proclaimed a state of emergency since independence, not even when the country was invaded by Turkey and part of it became and continues to be occupied.

99. International conventions ratified or acceded to by the Republic are incorporated into the Republic's municipal law and have, as from their publication in the Official Gazette, superior force to any municipal law. Such conventions are directly applicable in the Republic and can be, and are in fact, invoked before, and directly enforced by the Courts and administrative authorities (of Decision of the Supreme Court in civil appeal number 6616, *Malachtou* v. *Aloneftis*, 20 January 1986). When an international convention contains non-self executing provisions, the Legislature has a legal obligation to enact appropriate legislation in order to harmonise the municipal law with the convention and make the latter fully enforceable.

C. Framework within which the human rights are promoted at the national level

100. Cyprus is a practicing pluralist democracy with absolute respect for the rights and freedoms of the individual. It continuously strives to achieve more progress in the field of human rights in the areas under its effective control, through the set-up of the appropriate institutions to address the whole spectrum of human rights.

101. The Parliamentary Committee on Human Rights and on Equal Opportunities for Men and Women (PCHREOMW) is a Parliamentary Mechanism monitoring respect of human rights. It examines the application of provisions safeguarding human rights of the Constitution, international treaties and national laws. It deals with violations of human rights of all people in Cyprus and introduces relevant reports to the Plenary of the House. The PCHREOMW frequently considers issues of: Domestic violence, Trafficking, Unemployment, Migration, Youth, Children's Rights, Women's Rights and Rights of Persons with Disabilities.

102. The Office of the Commissioner for Administration and Human Rights (Ombudsman) was set up in 1991 by virtue of Law 3(I)/1991, as the independent authority responsible for dealing with individual complaints concerning maladministration, bad behavior and human rights violation by state authorities or officers. The Ombudsman's tasks were later given a wider range by virtue of Law 1(I)/2000, which provided the Ombudsman with the power to investigate ex proprio motu matters of general interest. The Office of the Ombudsman is the most prevalent form of extra-judicial control of the administration and protection of human rights.

103. The **National Mechanism for the Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (NMPTCIDTP)** was established by Law L.2(III)/2009 ratifying the Optional Protocol of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment . The Ombudsman is appointed as the NMPTCIDTP. The Ombudsman is authorized to conduct uninterrupted visits to places of detention in order to monitor compliance with the Convention and to have confidential individual interviews. The Ombudsman observes and records the detention conditions and makes recommendations to improve living conditions and review the relevant legislation.

104. More details of the main provisions of the Law regarding the NMPTCIDTP are the following:

(a) The Commissioner of Administration is defined as the national visiting body provided for in the Optional Protocol and who will act in accordance with Article 3 of the Optional Protocol.

(b) To fulfill this role, the Commissioner of Administration is authorized to visit freely at regular intervals places of detention by written notice to check compliance with the provisions of the Convention. During these visits, the Ombudsman is entitled to have free access to all premises and every place of detention and to have confidential individual interviews with any person it considers appropriate.

(c) It is compulsory for the relevant state authorities to grant the Commissioner the information recorded in the Optional Protocol.

(d) The Ombudsman may make recommendations and reports and any competent authority for a place of detention is required to report on any measures taken based on the report or recommendations of the Ombudsman.

(e) The Commissioner may submit suggestions for improving the legislation and to express opinions in the House of Representatives during the examination of relevant bills.

(f) The Commissioner of Administration may bring allegations of detainees for acts violating human rights to the attention of the Attorney General and the Independent Authority for the Investigation of Allegations and Complaints against the Police .

(g) The Commissioner of Administration submits an annual report to the President of the Republic, and a copy to the Board of Ministers, the House of Representatives and the Attorney General, and then publishes it.

(h) The Commissioner should have the necessary personnel in accordance with the Commissioner for Administration Law or any additional staff officers whose qualifications and terms of service are specified in regulations adopted by the Board of Ministers and the House of Representatives.

105. In addition, *The Equal Pay Between Men and Women for the Same Work or for Work to which Equal Value is attributed Law* [L.177(I)/2002], was amended by L.38(I)/2009, granting the Ombudsman authority to independently examine complaints in relation to equal pay between men and women and to safeguard the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation.

106. In this way, the Ombudsman is required, by implementing a framework of control and open communication with the competent authorities, to act proactively in particular regarding the matter of torture and inhuman or degrading treatment through the relevant suggestions and recommendations it submits.

107. At the end of 2011, with an amendment Law [L.158(I)/2011] to the Commissioner for Administration core Law [L.3/1991], the competences of the Cyprus Human Rights Institution, established in 1998, were transferred to the Ombudsman. As a result, the Ombudsman has undertaken the role of a National Human Rights Institution with broad competence for the promotion and protection of human rights, the preservation and extension of their protection in the Republic and the implementation of human rights principles by the state authorities. The Institution is in the process of applying to the Office of the United Nations High Commissioner for Human Rights for accreditation in 2014.

108. In particular, the Ombudsman has responsibility through the exercise of its own power to submit opinions, recommendations, proposals and reports which relate to the following areas:

- Any situations of violation of human rights which it decides to take up;
- The national situation with regard to human rights in general and on more specific matters;
- Drawing the attention of the Government to situations in any part of the country where human rights are violated and making proposals to it for initiatives to put an end to such situations.

109. Within the framework of its operation as National Human Rights Institution, the Ombudsman shall cooperate with the United Nations and any other organization in the United Nations system, the regional institutions and the national institutions of other countries that are competent in the areas of the protection and promotion of human rights. Furthermore, it shall maintain consultation with non-governmental organizations and other bodies devoted to the promotion and protection of human rights.

110. However, even though the Institution complies in the main with the United Nations Principles relating to the Status of National Institutions (the Paris Principles), it has not yet been accredited by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights . It is expected that in 2014 the Office will submit a formal request for accreditation.

111. It should also be noted that the authority for the examination of the legislation and administrative provisions in force, as well as bills and proposals, and the making of recommendations for ensuring that these provisions conform to the international obligations of the country in respect to human rights remains with the Attorney General of the Republic.

112. Following a Council of Ministers decision, on 9 May 2012, the role of the independent mechanism to promote, protect and monitor the implementation of the Convention for the Rights of Persons with Disabilities (PwD), under article 33(2) of the Convention, was also entrusted to the Ombudsman. Since, the Independent Authority for the Promotion of the Rights of PwD was established providing a strong driving force to existing action in the area and beyond, as a result of the wide and demanding new competences.

113. In more detail, the competences assigned to the Cyprus monitoring mechanism, include, among others:

- Conducting investigation and gathering data/information in the course of monitoring the Convention and promoting the enjoyment of human rights by persons with disabilities, on an equal basis with others;
- Examination of discrimination-related matters and alleged human rights violations, on a proprio motu basis, or following the submission of individual complaints. May consult with all implicated parties and where necessary, impose penalties in the case of unlawful discrimination and violation of the rights of persons with disabilities under the relevant legislative framework;
- Submission of reports to state authorities or private bodies that include recommendations and proposals for policies and practices that comply with the Convention;
- Cooperation with the Consultation Committee for Monitoring the Convention consisting of members of the independent mechanism and the CCOD;
- Cooperation with the Coordinating Mechanism for monitoring the application of the National Action Plan for the implementation of the Convention;
- Enlightening public and private actors and promoting the protection and the realization of the rights and values of the Convention in cooperation with the Focal Point.

114. The new legislative frameworks assigns to the Commissioner for Administration extended competences to protect human rights and combat discrimination. Apart from investigating specific complaints, the Ombudsman also develops wider proactive activities of preventive, educational and informative character, such as:

- Composition and dissemination of Codes of Good Practice;
- Raising awareness campaigns through the mass media;
- Training seminars directed to public officials, members of the police force or other professionals, as well as school community;
- Participation in international or regional networks with the same mandate;

- Conduct of surveys and statistical researches.

115. **Supervisory Committee of the Prohibited Immigrants Detention Centers**: Section 5 of the *Law on the establishment and regulation of premises of Prohibited Immigrants*, [L.83(I)/2011] provides that a Committee for the supervision of the prohibited immigrants detention centre (Supervisory Committee) is set up by a Decision of the Council of Ministers (Decision No. 74.638, dated 5/2/2013). Pursuant to this Law, the Committee visits prohibited immigrants detention centres at least 8 times/year and whenever it considers it necessary for monitoring purposes.

116. A Complaints Committee of the Prohibited Immigrants Detention Centre in Menoyia, was established by Ministerial decision dated 5/5/2013 pursuant to Regulation 28 of the *Regulations for the establishment and regulation of premises of Prohibited Immigrants* No.161/2011. This Committee may, either ex propio motu or following a detainee's complaint, (a) re-examine a decision of the Director of the Detention Centre (DDC) and (b) examine detainees' complaints regarding the detention and treatment conditions.

117. **The line Ministries have regular contacts with Non Governmental Organizations (NGOs)**, particularly in preparing legislation relevant to their scope. Recognizing the importance of engagement with civil society, Governmental agencies cooperate with NGOs in the framework of the MCG, i.e. Cyprus STOP Trafficking, KISA, Mediterranean Institute for Gender.

118. The Equality Unit of the MJPO and the NMWR continue to play a leading role in the overall promotion of gender equality and the protection of women's rights. Besides, the establishment of new bodies, authorities, and committees for the promotion of gender equality has given new impetus to the full implementation of gender equality laws and policies. The involvement of women's organizations and NGOs in policy formulation and implementation on gender equality was increased significantly and their contributions were vitally important in ensuring that the needs of all women, including vulnerable groups, are taken into account.

119. The role of the mass media in the promotion and protection of human rights is considerable. The Press is entirely free and the several daily, weekly and other newspapers and periodicals are privately owned. The same applies to radio and television broadcasting where only one radio and television station is state-owned but is run by an independent corporation.

120. Moreover, in accordance with the 2011 Press Law amendment draft, under Section 17 it is stated that the person responsible under the Law for a newspaper (the term covers every document in written or electronic form) has the obligation to enter the reply of a person who is offended by the content of an article. In addition, the Cyprus Media Complaints Commission contains a directive concerning the omission of negative discriminations. In the Press Law amendment draft of 2011 under Section II 3 (1) there is an explicit provision regarding the freedom of the Press. " A journalist has the right to freely search for and receive information from private sources without hindering imposed by governmental bodies and irrespectively of borders, and to freely transmit that information utilizing every means of expression, unless there exist reasons pertaining to the safety of the Republic...".

121. The Cyprus Media Complaints Commission exists to avoid discriminations. With the Amendment draft of the Press Law, documents in electronic form will also be included in the Mass Media, therefore anyone offended in any way will be able to respond by means of a rectifying article published by the person responsible under the Law.

122. All international conventions and treaties to which Cyprus becomes party are published in the Official Gazette. Appropriate publicity is given to them in the media, printed and electronic press, including the acceptance of the right, under optional procedures, to petition or address communication to human rights organs.

123. Human rights are considered a particularly important issue and special action is always taken to promote awareness among the public, and the relevant authorities, of the rights contained in the various human rights instruments. Awareness, as the necessary precondition to, inter alia, claiming one's rights and prevention of abuses, is pursued mainly through education by including the teaching of human rights in the curricula at all levels of education, at teachers' and police training academies, parents' guidance and other similar institutions.

124. Cyprus is committed to continue working for the further advancement of raising awareness and education on human rights. Human rights spectrum was incorporated in the school curriculum, which promotes tolerance in a multicultural environment. Concrete measures are adopted for prevention and abolition of discrimination practices, such as modernized educational policies, coordination mechanisms, better allocation of resources and special educative tools.

125. The Government, the media and the private sector publish books and pamphlets on the issue of the protection of human rights, as well as on the question of their violation of human rights. Posters and brochures are distributed to public establishments, schools, youth centres and organisations. Special press releases regarding human rights are issued as when necessary covering both local and international developments, including conferences, seminars, lectures, colloquies and other similar events. Articles on human rights frequently appear in the newspapers and in specialized publications, including those of the Bar Association and Human Rights Organisations.

D. Reporting process at the national level

126. Pursuant to a Decision of the Council of Ministers of the Republic of Cyprus (no. 38.958, dated 25.2.1993), the Law Commissioner in cooperation with the Ministry of Foreign Affairs and the competent Ministries, is entrusted with ensuring compliance of Cyprus' reporting obligations under international human rights instruments. Cyprus is up to date with all its treaty reporting obligations.

127. Generally, on each occasion of preparing and presenting a national report to a particular Human Rights Treaty Body, an ad-hoc inter-departmental working group is set up to deal with the process of examination of human rights situation in Cyprus in the respective field of human rights.

128. Representatives from Ministries and other Governmental Departments, Independent Institutions (such as the Ombudsman and the Law Commissioner), Authorities (such as the Independent Authority for the Investigation of Allegations and Complaints against the Police) and Non-Governmental Organizations which are active in the promotion and protection of human rights, contribute to the compilation of information and facilitate the work of the inter-departmental working group.

129. In the specific case of reporting to the United Nations Committee on the Rights of Persons with Disabilities, the Council of Ministers of the Republic of Cyprus decided on 9.5.2012, in regards with the implementation of Article 33 of the United Nations Convention on the Rights of Persons with Disabilities, to designate specific mechanisms for the effective implementation and monitoring of the Convention, involving the Department for Social Inclusion of Persons with Disabilities under the Ministry of Labour and Social

Insurance, the Pancyprian Council of Persons with Disabilities and the Ombudsman and Commissioner for Human Rights - Equality Authority.

130. The Department for Social Inclusion of Persons with Disabilities as the Focal Point is responsible, among other things, for preparing and presenting in cooperation with other competent agencies, Reports to the United Nations Committee on the Rights of Persons with Disabilities.

E. Other related human rights information

131. Cyprus, as a state party to the majority of the core and other international instruments relating to human rights adopted at the universal and European regional level, regularly submits its reports to the competent Treaty Bodies and duly takes into consideration their recommendations/observations in an effort to improve the situation in relation to the respect of human rights.

IV. Information on non-discrimination and equality and effective remedies

132. The accession of Cyprus in the European Union in 2004 led to the implementation of a new statutory framework for the combating of racism and the promotion of the principle of equal treatment of all people without distinction on the basis of racial or ethnic origin. It was decided that the establishment of two new authorities, organizationally incorporated in the Office of the Commissioner would correspond fully to the need of an effective implementation of the new legislation for combating discrimination.

133. Consequently, the Cyprus Anti-Discrimination Body and the Equality Authority were established, with their mandate to extend both in the public and the private sectors. Its institutional competence, apart from the investigation of individual complaints and the provision of independent assistance to the victims of discrimination, includes a wide frame of activities of preventive, mediatory, repressive and educational character.

134. As for the Anti-Discrimination Body, its basic field of action is the combating of discrimination on the grounds of race, community, language, colour, religion, political or other beliefs, ethnic or national origin and generally the promotion of equal treatment in the fields of social protection, social insurance, social benefits, healthcare, education, participation in unions and professional organisations, and access to goods and services, including housing.

135. The main competence of the Equality Authority is to investigate as an independent authority with out-of-court procedures, complaints of people that believe that they are victims of discrimination in employment or occupation, in both the private and public sectors, on grounds pertaining to their racial or ethnic origin, religion or beliefs, age, special needs, sexual orientation or sex. The prohibition by law of discriminations in employment and occupation covers the entire spectrum of labour relations. In addition, since 2008, the Equality Authority has been competent to investigate complaints for discrimination on the grounds of sex in the field of access to goods and services and their provision, including insurance and financial services of both the private and public sectors.

136. By ratifying the Optional Protocol to the Convention against Torture, the responsibilities of the Ombudsman were significantly expanded. To date, the Ombudsman has visited detention facilities, had access to information and submitted reports as a result to the investigation of an individual complaint. Furthermore, under its new powers, the Ombudsman is empowered to freely visit places where persons are deprived of their liberty

in order to observe and record the general detention conditions relating to torture and to make recommendations both to improve those conditions and to improve relevant legislation.

137. In case an investigation for discrimination is judged to be substantiated, the Commissioner for Administration has the power to impose a fine on the public person or person in the private sector who is responsible for such violation. The Commissioner may, in addition thereto or alternatively, proceed with a recommendation to the person responsible for the violation following consultations with the parties involved in the complaint. The recommendation is binding and, as the case may be, may include the taking, within a specific deadline, of practical measures to eliminate or stop the discrimination or prevent it from appearing in the future. In case of no compliance, the Commissioner may publish the recommendation in the Official Gazette of the Republic and set a new deadline for purposes of compliance. In case there is once again no compliance within the new deadline set, the Commissioner may impose a fine for non-compliance as well as a fine for every day that such non-compliance continues.

138. If the established discrimination which is prohibited by law is included in legislative provisions, the Commissioner for Administration shall refer this finding to the Attorney-General of the Republic in order to promote the procedure for its amendment.

139. The Commissioner for Administration, acting either as the Anti-Discrimination Body or the Equality Authority, is not competent to award damages to victims of discrimination. The victims of discrimination and the people who believe that they have suffered discrimination in employment and occupation may by law bring the matter before the competent Court in order to receive damages. The Court awards, as the case may be, fair and reasonable damages which cover the entire positive damage caused by the discrimination plus the legal interest from the date of the violation to the date of full settlement of damages.

140. The new institutional framework for the combating of discrimination has a complex character since it covers all prohibited discriminations in the public and private sectors. In fact, it introduces significant methodological legal tools for combating discriminations by adopting a clear and detailed definition of the meanings of direct and indirect (covert) discrimination prohibited by law. It also provides for a special independent protection against harassment and against the order for reserving an unfavourable discriminatory treatment on the grounds of racial or ethnic origin.

141. As a whole, the provisions of the institutional framework make up a unified protection system for the victims of discrimination which operates not only towards the direction of imposing sanctions to individual cases, but also places emphasis on the intermediary action for the promotion of the principle of equality.

142. It also provides a basis for undertaking preventive and educational initiatives against discrimination as well as for the activation of civil society at the level of public awareness and representation of victims of discrimination. Towards providing assistance to the victims of discrimination, the institutional framework also introduces the possibility of taking positive measures aimed at preventing or compensating for disadvantages on the grounds of racial or ethnic origin.

V. Latest developments concerning the Cyprus question

143. Since 1974 the nature of the Cyprus problem has remained intact; it is a problem of foreign invasion and occupation which provokes massive violations of human rights to the people of Cyprus.

144. In February 2013, Mr. Nikos Anastasiades was elected President of the Republic of Cyprus. Among the primal goals of his government was the re-launching of comprehensive and result –oriented negotiations for a solution to the Cyprus problem. On July 16, 2013 the National Council unanimously confirmed the political will for the appointment of a Greek Cypriot Negotiator. At the same time Ambassador Andreas Mavroyiannis was appointed to the post.

145. On 11 February 2014, the leaders of the two Communities, President N. Anastasiades and Dr. D. Eroglu, adopted a Joint Declaration on the re-launching of the talks on the Cyprus problem, which sets the framework for the basic principles of a solution and clarifies the methodology to be followed during the negotiation process. The Joint Declaration reaffirms that the settlement will be based on a bi-communal, bi-zonal federation with political equality, as set out in the relevant Security Council resolutions and the High Level Agreements. It also reaffirms that the united Cyprus, as a member of the United Nations and of the European Union, shall have a single international legal personality, a single sovereignty, which is defined as the sovereignty which is enjoyed by all member States of the United Nations under the Charter of the United Nations, as well as a single citizenship.

146. The Government of the Republic of Cyprus considers that a dynamic impetus should be injected parallel to the negotiating process, in order to restore the confidence of the people of Cyprus to the prospect of a solution. In this regard the Government of the Republic of Cyprus has tabled a package proposal which, if accepted by Turkey, would be a "game changer" and would foster a spirit of confidence and co-operation between the two communities. This package proposal provides for the return of the city of Varosha to its lawful inhabitants as per Security Council resolution 550 (1984), in return for the opening of the port of Famagusta under Protocol 10 and the opening of a number of Turkey's accession negotiation chapters provided that Turkey implements fully and on a non-discriminatory basis the Additional Protocol to the Agreement establishing an Association between the European Economic Community and Turkey (Additional Protocol to the Association Agreement with the European Union).